

US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: January 11, 2006
Comment Deadline: February 10, 2006
Corps Action ID #: 200620291

The Wilmington District, Corps of Engineers (Corps) has received an application from WRS, Inc., seeking Department of the Army authorization to impact 0.31 acre of riparian wetlands and 5.4 acres of an open-water pond associated with the construction of a retail center and the associated shops, outparcels, parking lots, roads and stormwater control features in Wake County, North Carolina.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: WRS, Inc.
2361 South Centennial Avenue
Aiken, South Carolina 29804

AGENT (if applicable): S & ME, Inc.
3718 Old Battleground Road
Greensboro, North Carolina 27410

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act.

Location

The site is located on the south and east side of Ralph Stevens Road, west of the NC 55 By-Pass in Holly Springs, Wake County, North Carolina. The project site is located adjacent to wetlands hydrologically connected to an unnamed tributary of Basal Creek, which drains into Neuse River Basin (Latitude and Longitude in Decidegrees: 35.6357 N; 78.8333 W).

Existing Site Conditions

The site indicated for the proposed development is approximately 49-acres in size and is primarily composed of fallow agricultural fields bounded by wooded areas. Vegetation within the fields includes tall fescue (*Festuca arundinacea*), dog fennel (*Eupatorium capillifolium*), and ragweed (*Ambrosia artemisiifolia*). Five single-family homes and a mobile home are located on the northeastern portion of the property and would be impacted by this proposal.

A 5.4-acre jurisdictional pond is located within an old pasture area/agricultural field. Directly below the dam of this pond, a 0.49-acre pond exists with adjacent wetlands composed of bulrush (*Juncus effuses*), red maple (*Acer rubrum*), multiflora rose (*Rosa multiflora*), sweet gum (*Liquidambar styraciflua*), and willow (*Salix*, spp.).

In addition, a 0.31-acre jurisdictional shrub/scrub wetland exists on the site, southeast of the onsite houses, and west of NC Highway 55 By-Pass. The vegetation within this wetland includes red maple, willow (*Salix*, spp.), bulrush, multiflora rose, and knotweed (*Polygonum*, spp.).

Applicant's Stated Purpose

The project is to meet the retail needs of the public while providing job opportunities and economic growth to Wake County.

Project Description

The project would involve the construction of a 203,819 square foot retail center with 43,200 square feet of retail shops, and five outlot parcels. Parking lots, access roads, and necessary stormwater control features are also included within the proposal. The project proposes to permanently impact a total of 0.31-acre of jurisdictional shrub/scrub riparian wetlands and 5.4-acres of an open water pond.

The applicant proposed to mitigate for the impact to the 5.4-acre pond by creating a one-acre palustrine, emergent wetland on site. This wetland would accept water from the stormwater detention pond after moving through a forebay system as described below:

A four foot wide, two-foot tall berm would be constructed approximately 20 feet from the inlet structure. This berm would be planted with a mix of three wetland shrubs (*Cephalanthus occidentalis*, *Viburnum nudum*, and *Clethra alnifolia*) on 3-foot centers. The berm would aid in moving water to the northern portion of the wetland cell prior to it flowing to the outlet structure in the southeast corner of the cell. Three groupings of plants would be planted within the cell. The plants would serve as both aesthetically pleasing and provide seed/forage for small birds and mammals. These plant mixtures are described as follows:

1. Area #1 would be planted with a mix of *Iris virginica* and *Saururus cernuus*. They would be randomly mixed and planted on 2-foot centers.
2. Area #2 would be planted with a mix of *Pontederia cordata*, and *Peltandra virginica*. They would be randomly mixed and planted on 2-foot centers.
3. Area #3 would be planted with *Acorus calamus* on 1-foot centers. Within this area a small, peanut shaped depression would be dug approximately thirty inches deep. This would provide shallow, open water habitat for amphibians, small reptiles, ducks and other aquatic birds and mammals. The shallow, open water area would not be planted, but allowed to populate with natural recruits.

The emergent wetland cell outlet structure would be elevated approximately 12 inches, so that water would be retained within the cell, encouraging infiltration into the bed of the cell and evaporation, assisting in prolonging the hydroperiod.

The wetland cell bottom would be constructed to have microtopographic relief. It would be varied in elevation to provide for varied depth habitats, both shallow and deep, in a random fashion. Within one foot of the edge of the cell, a row of *Hibiscus moscheutos* would be installed on 8-foot centers to add forage for insects and birds.

To mitigate for the unavoidable impacts to the 0.31-acre shrub/scrub wetland, the applicant proposes to utilize the North Carolina Ecosystem Enhancement Program (NCEEP). In a letter dated November 23, 2005, the NCEEP indicated that they would accept responsibility to provide 0.50-acre riparian wetlands mitigation up to a 2:1 ratio.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the

application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by February 2, 2006.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline

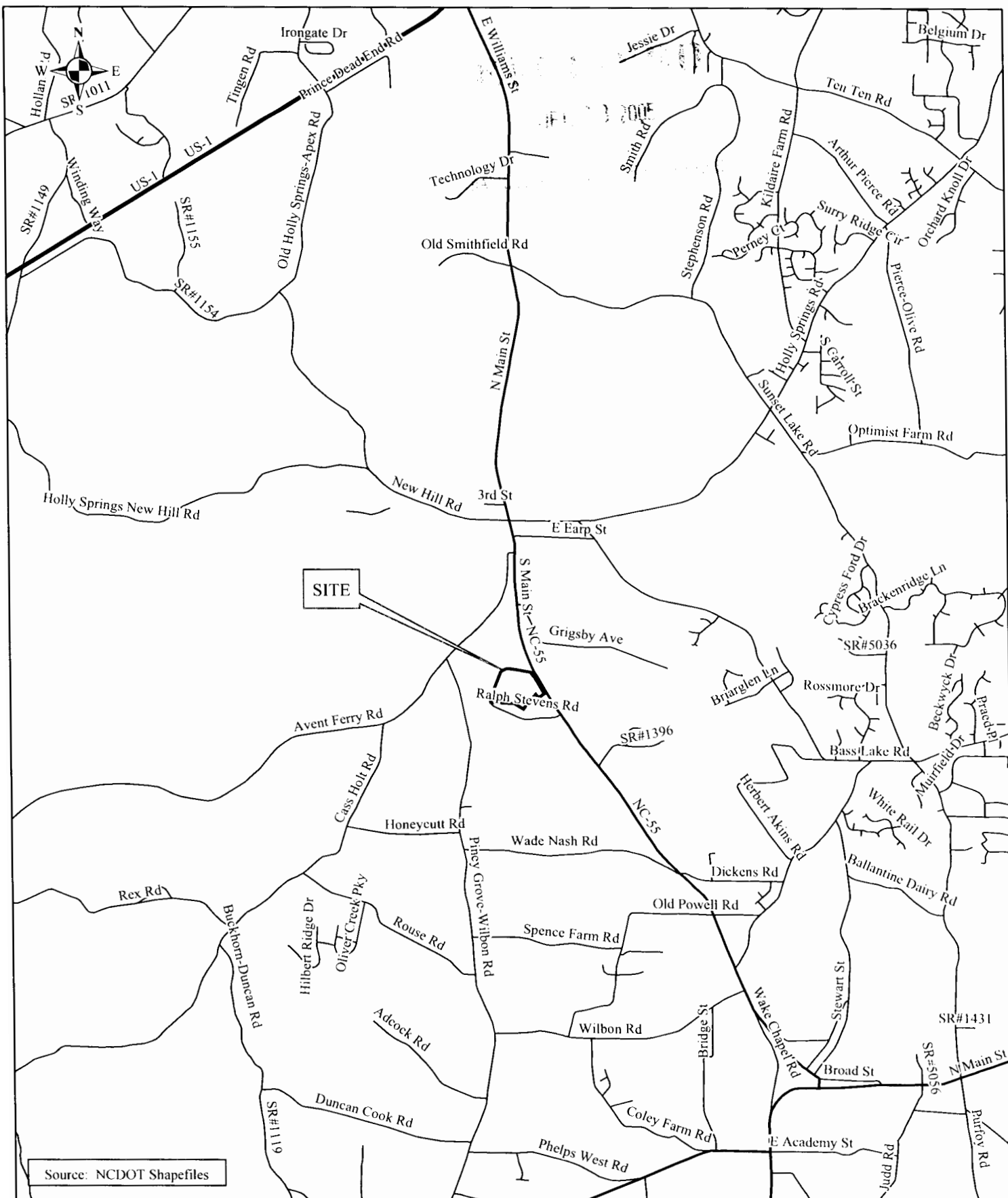
erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, February 10, 2006. Comments should be submitted to Mr. Monte Matthews, Raleigh Regulatory Field Office, 6508 Falls of Neuse Road, Suite 120, Raleigh, North Carolina, 27615.



Source: NCDOT Shapefiles

Scale: 1 inch equals 1 miles

Drawn by: JBP

Reviewed by: MLM

Date: August, 2005



S&ME

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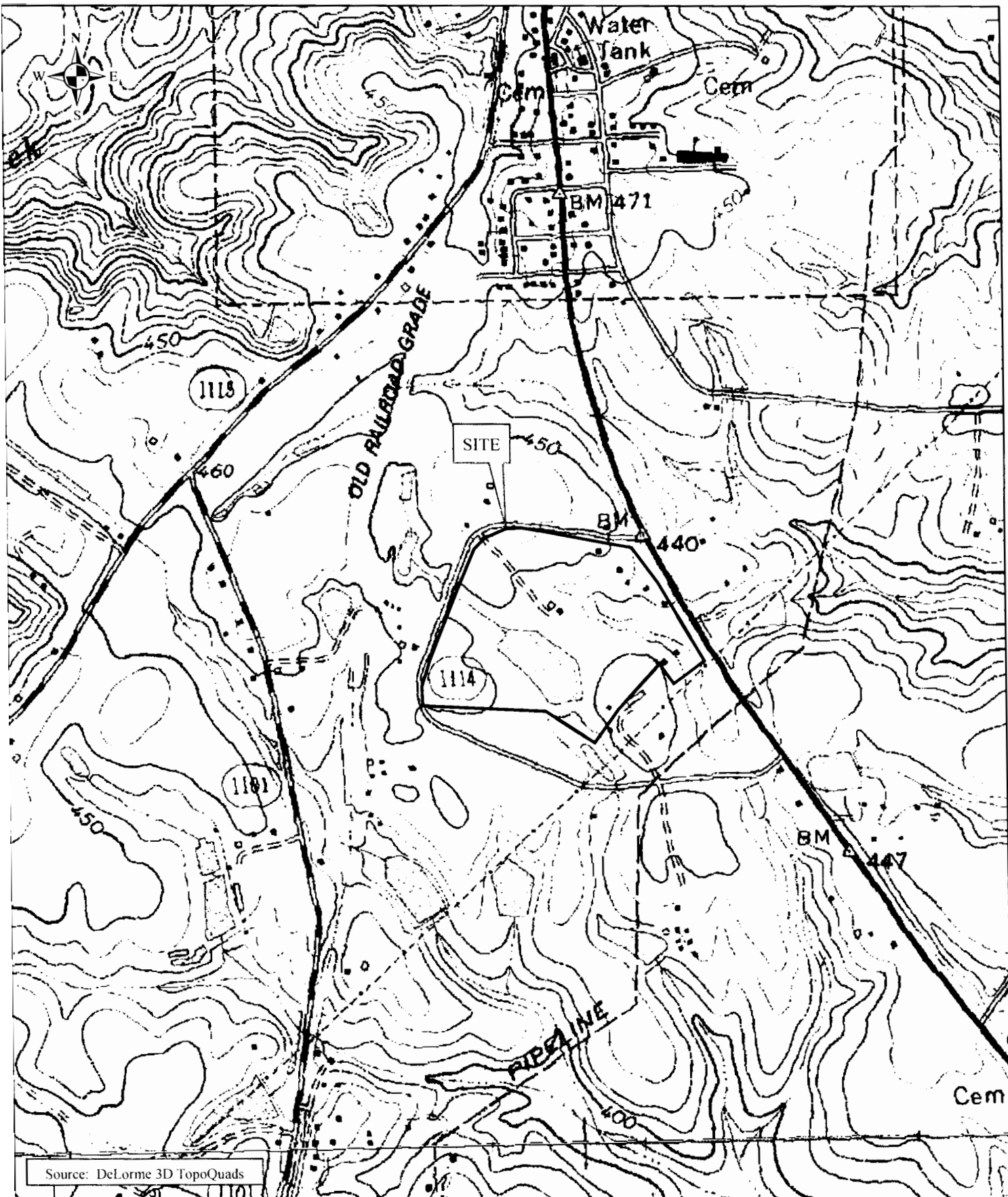
HWY 55 & Ralph Stevens Rd.

Vicinity Map

Wake County, NC

S&ME Project #1588-05-014

Sheet
1 of 6



Source: DeLorme 3D TopoQuads

Scale: 1 inch equals 1,000 feet

Drawn by: JBP

Reviewed by: MLM

Date: November, 2005



S&ME

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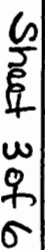
HWY 55 & Ralph Stevens Rd.

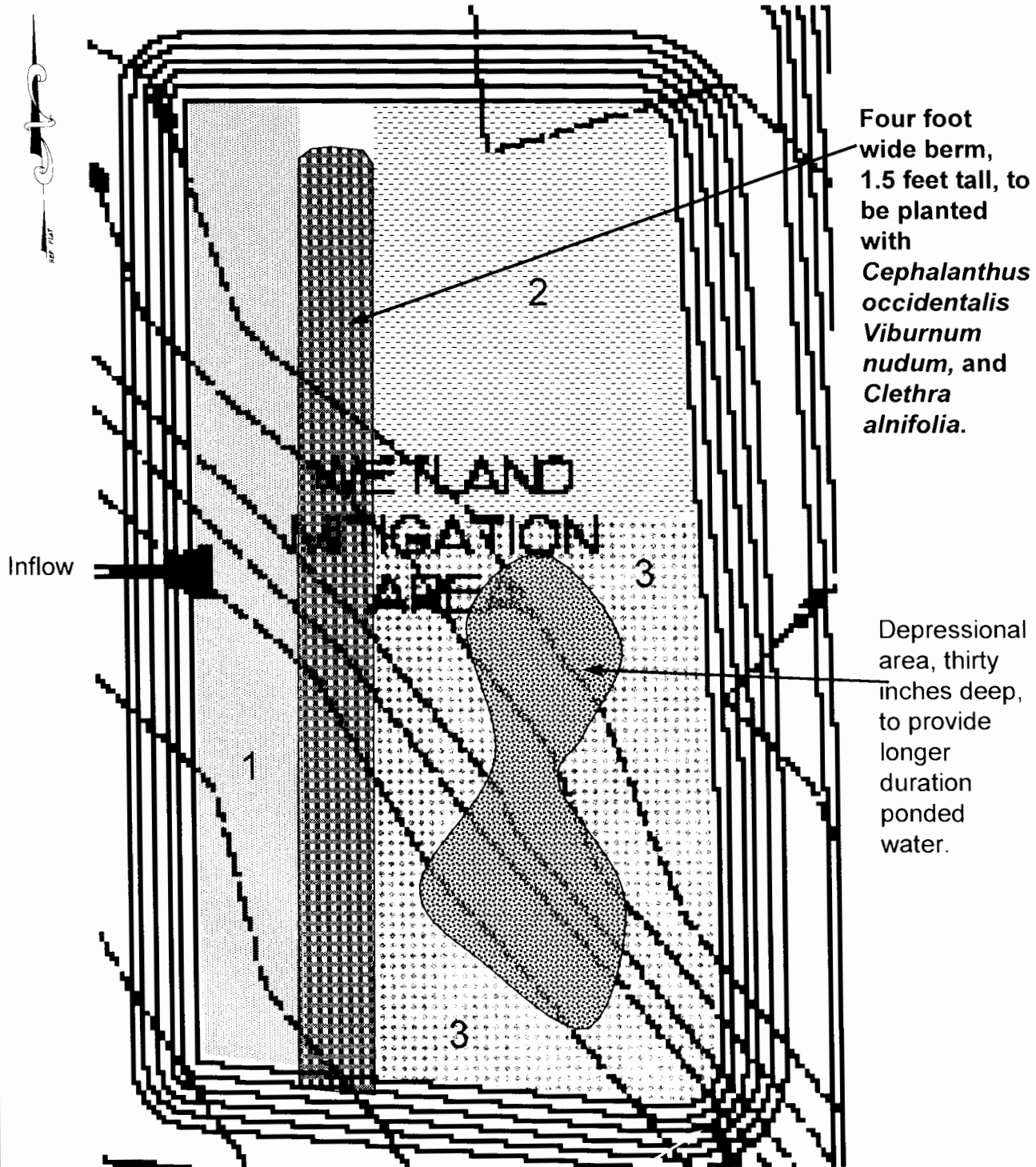
USGS Topography Map

Wake County, NC

S&ME Project #1588-05-014

Sheet
2 of 6



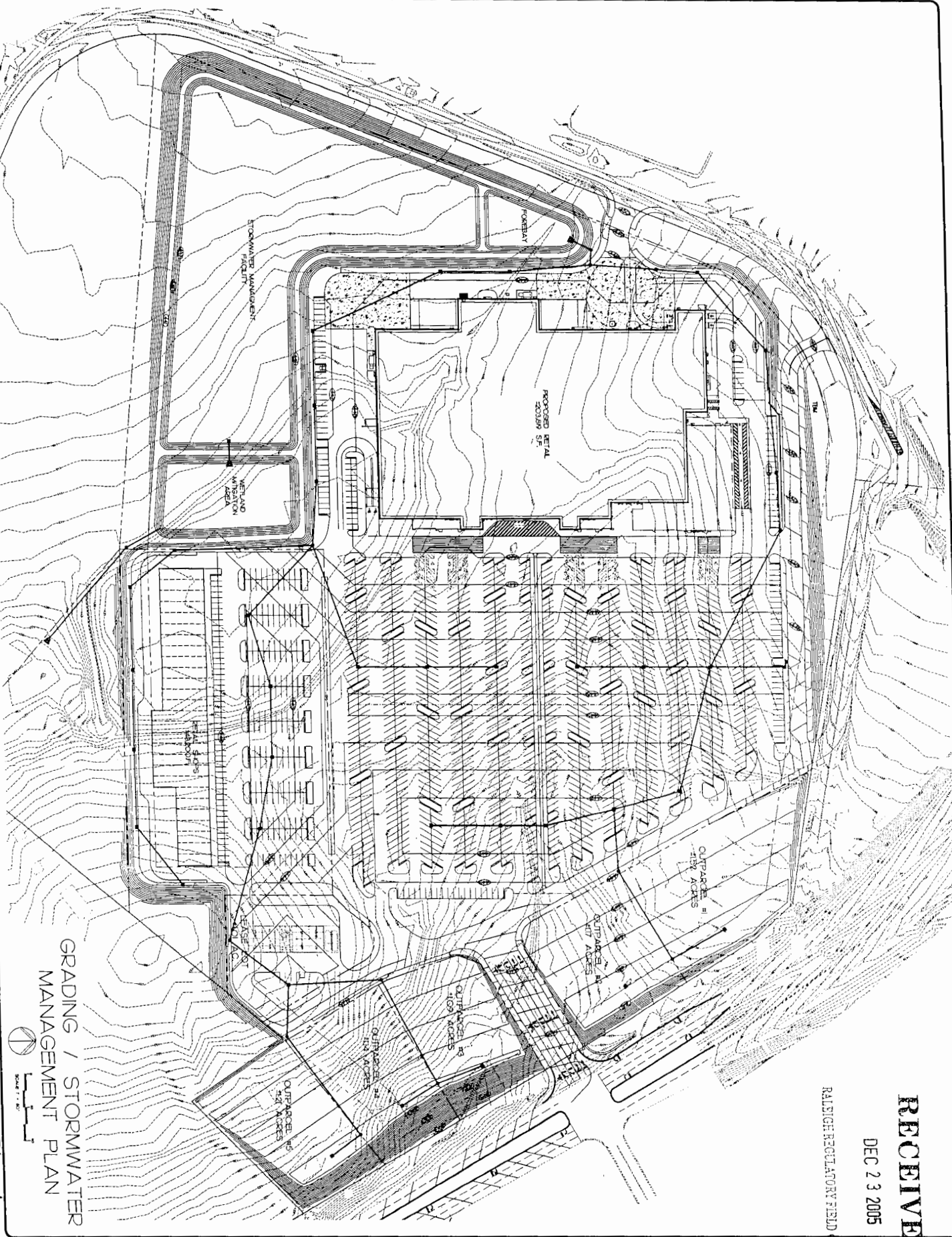


Outlet: To have twelve inch rise to extend hydroperiod and retain water.

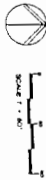
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RALEIGH REGULATORY FIELD OFFICE



GRADING / STORMWATER
MANAGEMENT PLAN



SCALE: 1" = 40'

Sheet 5 of 6

PROPOSED RETAIL CENTER
HOLLY SPRINGS, N.C.

WRS REALTY, INC.
2361 CENTENNIAL AVE.
AIKEN, SC 29803

PRELIMINARY
PLAN

FREELAND and KAUFFMAN, INC.
Engineers & Landscape Architects
209 West Stone Avenue
Greenville, South Carolina 29609
864-233-5497
fax: 864-233-6995

DATE	01/04/06
BY	WRS
CHK	WRS
DATE	1/4/06
BY	WRS
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REVISIONS	1	
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